

*Town of North Andover
PLANNING BOARD*

*John Simons, Chairman
Lynne Rudnicki
Michael Colantoni*



*David Kellogg
Lora McSherry
Peter Boynton*

Tuesday May 5, 2015 @ 7 p.m. Town Hall, 120 Main Street, North Andover, MA 01845

1 Present: J. Simons, L. Rudnicki, L. McSherry, D. Kellogg, P. Boynton

2 Absent: M. Colantoni

3 Staff Present: Jean Enright, Bonnie Wolstromer

5 J. Simons, Chairman: The Planning Board meeting for Tuesday, May 5, 2015 was called to order at 7:00 p.m.

7 **PUBLIC HEARING:**

8 CONTINUED PUBLIC HEARING, OSGOD SOLAR, LLC: Application for OSGOD Special Permit. Applicant
9 seeks to construct rooftop and parking canopy-mounted solar photovoltaic system, 6MW. Applicant proposes
10 5,500 rooftop mounted solar modules and approximately 14,000 carport canopy mounted solar modules on
11 approximately 21 rows of structures that are approximately 150' – 630' long and 39' wide. The project is within
12 the Industrial 2 Zone (I2) and in the OSGOD Smart Growth Overlay District.

13 J. Simons: Osgood Solar, LLC has requested a continuance to the June 2nd Planning Board meeting date.

15 **BOND RELEASE:** 250 Clark Street, Flight Landata, Inc. requests release of a \$5,000 performance bond

16 J. Enright: Flight Landata was issued a special permit in 2013 to construct office space, R & D space and
17 additional hangar space. They have submitted an as built and a certification letter from their engineer. I have
18 visited the site and everything is in order. They have a \$5,000 performance bond and I recommend full release of
19 the bond.

20 **MOTION:** D. Kellogg made a motion to release the performance bond for 250 Clark Street, Flight Landata, Inc.
21 L. Rudnicki seconded the motion. The vote was 5-0, unanimous in favor.

23 **PUBLIC MEETING:**

24 CONTINUED PUBLIC MEETING 602 Boxford Street Messina Development Corp.: Applicant proposes a 7-lot
25 Preliminary Subdivision Plan for a Planned Residential Development on an 18 acre +/- parcel of land in the R-1
26 zoning district.

27 J. Simons: Since it's a PRD, we want to make sure they have justified the lots according to conventional zoning.

28 J. Enright: They have submitted a Conventional Proof Plan for a 7 lot subdivision. They have also submitted a
29 PRD plan. Their intent is to construct the PRD. They are requesting a waiver for the cul-de-sac length. Two of the
30 septic systems are shown within the 50' buffer zone, -(lots 4 & 5) and would require a waiver of the buffer. There
31 is a requirement to leave the 50' buffer in its natural state. The abutting property is Open Space land associated
32 with Brookview Drive subdivision which is also a PRD.

33 J. Simons: It's not a wetland 50' buffer, it's the PRD 50'. That is a gray area. I think we have the flexibility to
34 waive that if we want to, if that's the only thing, but we have to look at the totality of the septic design.

35 L. Rudnicki: Phil Christiansen mentioned he could probably move one of the septic locations. The perc test he's
36 having a problem with is on lot 5.

37 J. Simons: How big are all the Conventional Subdivision lots?

38 J. Enright: Two acre lots in the R1 zoning district.

39 J. Enright: All proposed work is more than 100 feet from the wetlands and they are providing more than enough
40 Open Space approx. 12 acres; 4 acres are wetland.

41 J. Simons: Are the percs on the traditional plan?

42 L. Rudnicki: On the subdivision plan, lot's 4 & 5 are the lots in question. They are having problems finding a
43 location.

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44 J. Enright: Soil testing has been done on all the sites. Health has confirmed the soils in the locations shown are
45 okay.
46 J. Simons: When will you go to the Board of Health to get designs approved?
47 Bob Messina, Developer: Once we are sure we are going forward with everything. All the testing has been done
48 and everything was acceptable to Health.
49 J. Simons: How hard was it to find perc locations on this property?
50 B. Messina: That one area in the back was all sand and gravel that's why we used it. The soils were much tighter
51 at the top. Some of those tests can be moved.
52 L. Rudnicki: I think P. Christiansen said he was confident moving lot 4, which is probably the closest one, more
53 intrusive into the buffer zone.
54 J. Simons: Have you sent these to the Board of Health for evaluation? What feedback have you received from
55 them?
56 J. Simons: We don't want to force them to do full septic designs on a traditional plan that there not going to do,
57 that's not fair, but we want them to reasonably feel that they could build this design and they could get the septic
58 systems in. If they're satisfied in their judgment, that that's the case, then that's fine and for now we want to be
59 aware of any significant septic issues and it seems like there's maybe one or two, but not that bad.
60 J. Enright: I talked to Health. The only concern is the fact that they are in our 50' buffer within the PRD. It's not a
61 concern with Health's oversight in terms of are they in suitable locations for them. They are okay with the
62 location and the soil testing.
63 J. Simons: Ultimately, we have to decide on the totality of things and maybe there's some offset someplace else. I
64 don't think we need to make that decision now.
65 J. Enright: They have submitted the project under Autumn Woods. We recommended changing it because we
66 have an Autumn Chase. They've selected Wellington Woods.
67 J. Simons: If there are any designated trails in the Open Space parcels, we want to make sure the access to the
68 Open Space here, gets you to the Open Space on the other property.
69 J. Simons: Check to make sure that Jennifer is okay with the access to the Open Space.
70 L. Rudnicki: Regarding Gene Willis' email, he mentioned that he didn't see a Proof plan?
71 J. Enright: He received it. Phil Christiansen responded that he will address all of Gene's concerns in the Definitive
72 Plan.
73 J. Simons: Let's have Phil Christiansen back one more time and then we can close this off and give him direction
74 for the final Definitive Plan.
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77 **DISCUSSION:**

78 Annual Town Meeting Warrant Articles: Article 20: Capital Improvement Plan and Article 26: Community
79 Preservation Committee.

80 J. Enright: Bruce Thibodeau, Director DPW explained the Capital Improvement Plan at the last Planning Board
81 meeting. We did not vote on any action.
82

83 **Article 20:**

84 **MOTION:** D. Kellogg motioned to recommend Favorable Action on Article 20-Capital Improvement Plan.
85 L. Rudnicki seconded the motion. The vote was 4-0, unanimous in favor.
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Article 26:

MOTION: D. Kellogg motioned to recommend Favorable Action on Article 26-Community Preservation Committee Plan. L. McSherry seconded the motion. The vote was 4-0, unanimous in favor.

MINUTES APPROVAL

L. Rudnicki: M. Colantoni is spelled incorrectly, and the meeting adjournment should read 4.21.15 vs. 4.7.15.

MOTION: L. Rudnicki motioned to approve the April 21, 2015 meeting minutes, as amended. Motion was seconded by D. Kellogg. The vote was 5-0, unanimous in favor.

J. Enright: As a follow-up to the discussion on 80 Saile Way, I have contacted the homeowner and he will be in to file his bond and he intends to begin the planting project. He understands the as built does not have to be an engineered as built. The owner is moving forward accordingly.

ADJOURNMENT

MOTION: D. Kellogg motioned to adjourn the May 5, 2015 Planning Board meeting. The motion was seconded by L. Rudnicki. The vote was 5-0, unanimous in favor. The meeting adjourned @ 7:45 p.m.

MEETING MATERIALS:

Meeting Agenda 5.5.2015; DRAFT Minutes 4.21.2015; #250 Clark Street Flight Landata, Inc: #250 Clark Street As Built Plan, As Built Certification Letter; 1600 Osgood Solar LLC: 1600 Osgood (2) Applicant Request for Withdrawal without Prejudice, 1600 Osgood 150324 G. Brown determination letter, 1600 Osgood Applicant Request for Withdrawal without Prejudice, 1600 Osgood Application for Appeal, 1600 Osgood email Request for I2 Zoning, 1600 Osgood G. Brown response email RE Request for I2 Zoning Determination for Osgood Solar, 1600 Osgood Legal Ad Osgood Solar Project, 1600 Osgood Letter to Building Commissioner for I2 Filing, 1600 Osgood OSGOD Application, 1600 Osgood Continuance Request; Autumn Woods 602 Boxford Street: 150505 602 Boxford Street Preliminary Plan Decision, Autumn Woods 602 Boxford Street Lot 4 ANR Plan, Autumn Woods G. Willis Comments, Autumn Woods Locus, Autumn Woods Preliminary PRD Plan, Autumn Woods Preliminary Conventional Subdivision Plan, Autumn Woods T. Willett Comments; 2015 Annual Town Meeting